

1 Annette W. Jarvis, Utah Bar No. 1649  
 2 RAY QUINNEY & NEBEKER P.C.  
 3 36 South State Street, Suite 1400  
 4 P.O. Box 45385  
 5 Salt Lake City, Utah 84145-0385  
 6 Telephone: (801) 532-1500  
 7 Facsimile: (801) 532-7543  
 8 Email: [ajarvis@rqn.com](mailto:ajarvis@rqn.com)

9 and

10 Lenard E. Schwartzer, Nevada Bar No. 0399  
 11 Jeanette E. McPherson, Nevada Bar No. 5423  
 12 SCHWARTZER & MCPHERSON LAW FIRM  
 13 2850 South Jones Boulevard, Suite 1  
 14 Las Vegas, Nevada 89146-5308  
 15 Telephone: (702) 228-7590  
 16 Facsimile: (702) 892-0122  
 17 E-Mail: [bkfilings@s-mlaw.com](mailto:bkfilings@s-mlaw.com)

18 Attorneys for Debtors and Debtors-in-Possession

19 **UNITED STATES BANKRUPTCY COURT**

20 **DISTRICT OF NEVADA**

21 In re:  
 22 USA COMMERCIAL MORTGAGE COMPANY,  
 23 Debtor.

24 Case No. BK-S-06-10725 LBR  
 25 Case No. BK-S-06-10726 LBR  
 26 Case No. BK-S-06-10727 LBR  
 27 Case No. BK-S-06-10728 LBR  
 28 Case No. BK-S-06-10729 LBR  
 Chapter 11  
 Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

29 In re:  
 30 USA CAPITAL REALTY ADVISORS, LLC,  
 31 Debtor.

32 In re:  
 33 USA CAPITAL DIVERSIFIED TRUST DEED  
 34 FUND, LLC,  
 35 Debtor.

36 In re:  
 37 USA CAPITAL FIRST TRUST DEED FUND,  
 38 LLC,  
 39 Debtor.

40 In re:  
 41 USA SECURITIES, LLC,  
 42 Debtor.

43 Affects:  
 44  All Debtors  
 45  USA Commercial Mortgage Company  
 46  USA Securities, LLC  
 47  USA Capital Realty Advisors, LLC  
 48  USA Capital Diversified Trust Deed Fund, LLC  
 49  USA Capital First Trust Deed Fund, LLC

50 **DECLARATION RE: ELECTRONIC  
 51 FILING OF PETITION SCHEDULES  
 52 & STATEMENTS**

53 **(AFFECTS USA CAPITAL REALTY  
 54 ADVISORS, LLC)**

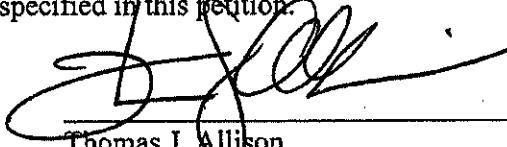
1 **PART I - DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF  
2 CORPORATION**

3 I, Thomas J. Allison, the Chief Restructuring Officer and Manager of USA Capital Realty  
4 Advisors, LLC, named as the debtor in this case, hereby declare under penalty of perjury that the  
5 information I have given my attorneys and the information provided in the electronically filed  
6 petition, statements, schedules and amendments as indicated above is true and correct. I consent  
7 to my attorneys filing this petition, this declaration, statements and schedules as indicated above to  
8 the United States Bankruptcy Court. I understand that this Declaration Re: Electronic Filing is to  
be filed with the Clerk once all schedules have been filed electronically but, in no event, no later  
than 15 days following the date the petition was electronically filed. I understand that failure to  
file the signed original of this Declaration will cause this case to be dismissed pursuant to 11  
U.S.C. § 707(a)(3) without further notice.

9  [If petitioner is an individual whose debts are primarily consumer debts and has  
10 chosen to file under chapter 7 or 13] I am aware that I may proceed under chapter 7, 11,  
11 12 or 13 of 11 United States Code., understand the relief available under each such  
12 chapter, and choose to proceed under chapter 7. I request relief in accordance with the  
13 chapter specified in this petition.

14  [If petitioner is a corporation or partnership] I declare under penalty of perjury that  
15 the information provided in this petition is true and correct, and that I have been  
16 authorized to file this petition on behalf of the debtor. The debtor requests relief in  
17 accordance with the chapter specified in this petition.

18  
19 DATED: December 26, 2007

  
20 Thomas J. Allison  
21 Chief Restructuring Officer and Manager

22 **PART II - DECLARATION OF ATTORNEY**

23 I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the  
24 petitioner that he may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and  
25 have explained the relief available under each such chapter.

26 DATED: December 26, 2007

  
27 Lenard E. Schwartzer, Esq.  
28 Attorneys for Debtor